



17698 U.S. PTO

22859 U.S.PTO
10/782376

PTO/SB/05 (08-03)

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 04266/100J959-US2

First Inventor Fausto BONIFACIO

Title NOVEL CRUDE AND CRYSTALLINE FORMS OF
LERCANIDIPINE HYDROCHLORIDE

Express Mail Label No. _____

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: MS Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 69]

(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets 19]

5. Oath or Declaration [Total Sheets 3]

a. Newly executed (original or copy)

b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)

i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- Computer Readable Form (CRF)
- Specification Sequence Listing on:
 - CD-ROM or CD-R (2 copies); or
 - Paper
- Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee)

11. English Translation Document (if applicable) ..

12. Information Disclosure Statement (IDS)/PTO/SB/08 Copy of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. Other: **Claim for Priority**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: 10/214,386

Prior application information: Examiner Janet L. COPPINS Art Unit: 1625

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number:	07278		OR	<input type="checkbox"/> Correspondence address below	
Name	DARBY & DARBY P.C. S. Peter Ludwig				
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Name (Print/Type)	Mitchell Bernstein, Ph.D.	Registration No. (Attorney/Agent)	46,550
Signature			Date February 18, 2004

Application No. (if known): Not Yet Assigned

Attorney Docket No.: 04266/100J959-US2

Certificate of Express Mailing Under 37 CFR 1.10

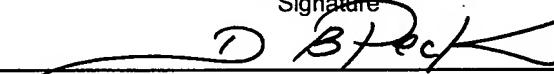
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. 62994071095-05 in an envelope addressed to:

MS Patent Application
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on February 18, 2004

Date

Signature

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

PTO/SB/05 Utility Patent Application Transmittal
Specification (55 pp), Claims (13 pp) & Abstract (1 p)
First Preliminary Amendment (11 pp)
Amendment Transmittal Letter (1 p)
Application Data Sheet (3 pp)
Declaration/Power of Attorney filed in serial no. 10/214,386 (copy, 3 pp)
Information Disclosure Statement (4 pp)
PTO/SB/08 (3 pp); International Search Report (5 pp)
PTO/SB/17 Fee Transmittal for FY 2004 (1 p)
Certificate of Express Mailing Under 37 C.F.R. 1.10 (1 p)

(19) sheets drawings figs 1 - 26

AMENDMENT TRANSMITTAL LETTERDocket No.
04266/100J959-US2

Application No. Not Yet Assigned	Filing Date Concurrently Herewith	Examiner Not Yet Assigned	Art Unit N/A
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Applicant(s): Fausto BONIFACIO, et al.

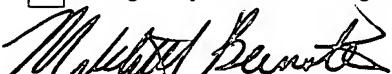
Invention: NOVEL CRUDE AND CRYSTALLINE FORMS OF LERCANIDIPINE HYDROCHLORIDE

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	56	- 20 =	36	x 18.00	648.00
Independent Claims	15	- 3 =	12	x 86.00	1,032.00
Multiple Dependent Claims (check if applicable)				<input checked="" type="checkbox"/> X	290.00
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					1,970.00

 Large Entity Small Entity No additional fee is required for this amendment. Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed. A check in the amount of \$ _____ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge and credit Deposit Account No. 04-0100
as described below. A duplicate copy of this sheet is enclosed. Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.Mitchell Bernstein, Ph.D.
Attorney Reg. No.: 46,550Dated: February 18, 2004DARBY & DARBY P.C.
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